

REMARKS

By the foregoing amendment, Claims 15 and 20 have been amended. Favorable reconsideration of the application is respectfully requested.

Claims 15, 16, 18, 20, 21 and 23 were rejected under 35 U.S.C. 103(a) on the grounds of obviousness from Wong in view of Forsberg et al. and Sayles. The Examiner acknowledged that Wong does not teach using an annular bridging member to link an assay strip to a wicking member. The Examiner acknowledged that Forsberg et al. does not teach an annular bridging wick piece, but was cited as disclosing an annular perimeter wick. The Examiner further indicated that it would have been obvious to one of ordinary skill in the art to modify Wong to include the conveying system of Forsberg. However, such a modification of Wong to include the conveying system of Forsberg is not claimed. Claim 15 has been amended to recite "an annular bridging wick piece connected between said wick and said assay strip in fluid communication with said wick and said assay strip and in immediate contact with said assay strip for conducting the liquid sample from said wick to said assay strip." Claim 20 similarly recites "an annular bridging wick piece connected between said wick and said assay strips in fluid communication with said wick and said assay strips and in immediate contact with said assay strips for conducting the liquid sample from said wick to said assay strips." Forsberg et al. discloses a first rectangular wicking pad 128 mounted between wicks 120 and test strips 124 at one end of the test strips, and a second rectangular wicking pad 130 mounted in contact with the other ends of the test strips. At column 13, lines 54-56, Forsberg et al. describes the

second rectangular wicking pad as drawing liquid along the length of the test strips, and prevents flooding of the test strips. It is respectfully submitted that placement of the claimed annular bridging wick piece in contact with the end portions of the test strips of Wong or Forsberg et al. to draw liquid along the length of test strips and prevent flooding of the test strips as suggested by the Examiner would not result in the construction of the invention connecting an annular bridging wick piece between a wick and one or more assay strips for conducting the liquid sample from the wick to the one or more assay strips, as is claimed.


The Examiner indicated that it would have been obvious to one having ordinary skill in the art to modify Wong in view of Forsberg to provide an annular wick on the upstream side of the test strips as an annular bridging wick to aid in drawing fluid from the wicks by capillary action. Sayles was cited as disclosing an absorbent pad 38 which is annular that aids in drawing fluid from protruding ends of reagent strips along the lengths of the reagent strips by capillary action. It is respectfully submitted that there is no teaching or motivation in the Forsberg or Sayles to provide an annular wick on the upstream side of the test strips as an annular bridging wick. In Sayles the reagent strips are directly in contact with the fluid supply through the test chambers 34 and windows 24, 26. In Forsberg and in Wong, liquid sample flows in one direction from one end to the other test strips, which are uniform rectangular strips placed in a uniform rectangular array, so that placing an annular bridging wick piece at the ends of the test strips in Wong or in Forsberg et al. is not possible.

It is therefore respectfully submitted that Claims 15, 16, 18, 20, 21 and 23 are novel and inventive over Wong and Forsberg et al. and Sayles, either individually or in combination, and that the rejection of Claims 15, 16, 18, 20, 21 and 23 on the grounds of obviousness from Wong in view of Forsberg et al. and Sayles should be withdrawn.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

FULWIDER PATTON LLP

By: 
David G. Parkhurst
Registration No. 29,422

DGP/rvw
Encls.: Return Postcard

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201